

1 DAVID STOEBLING, ESQ.
2 Nevada Bar # 1580
3 LAW OFFICE OF DAVID STOEBLING
3 3568 East Russell Road, Suite D
4 Las Vegas, Nevada 89120
(702) 734-1600
5 Attorney for The Stoebling Family Trust

6 UNITED STATES BANKRUPTCY COURT

7 DISTRICT OF

8 In re:) Case No. BK-S-06-10725-LBR
9 USA COMMERCIAL MORTGAGE COMPANY,)
10) Chapter 11
11 Debtor.)
12) OPPOSITION TO OMNIBUS
13) OBJECTION OF USACM TRUST TO
14) PROOFS OF CLAIM BASED UPON
15) INVESTMENT IN THE FIESTA OAK
16) VALLEY LOAN
17)
18) Date of Hearing: October 18, 2011
19) Time of Hearing: 1:30 P.M.
20) Estimated Time for hearing: 10 min.
21)
22)

23 The Stoebling Family Trust (hereinafter referred to as "the
24 Trust") timely filed a Proof of Claim. An Objection to this
25 Proof of Claim was made by USACM Liquidating Trust (hereinafter
referred to as "USACM Trust").

"USACM Trust" contends that "the Trust" does not have a
completely valid claim based upon its investment in the Fiesta
Oak Valley loan, because "the Trust" mitigated its damages or
had the opportunity to mitigate its damages and did not take it.

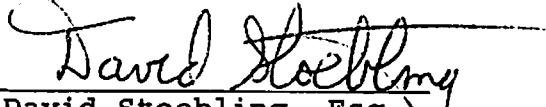
1 No proof or legal authority was offered by "USACM Trust" to
2 support this Objection.

3 "USACM Trust" also suggests since the value of the
4 collateral decreased, the proof of claim should be decreased.
5 Again, they offer no proof or legal authority to support this
6 Objection.

7 Based on the foregoing, it is respectfully requested that
8 the Objection of the "USACM Trust" be overruled.

9
10 DATED this 3rd day of October, 2011.

11 LAW OFFICE OF DAVID STOEBLING

12 By 
13 David Stoebbing, Esq.
14 3568 E. Russell Rd., Suite D
15 Las Vegas, NV 89120
16 Attorney for the Stoebbing
17 Family Trust

18 CERTIFICATE OF MAILING

19 I hereby certify that on the 3rd day of October, 2011,
20 I mailed a copy of the foregoing OPPOSITION TO OMNIBUS OBJECTION
21 OF USACM TRUST TO PROOFS OF CLAIM BASED UPON INVESTMENT IN THE
22 FIESTA OAK VALLEY LOAN in a sealed envelope, to the following
23 counsel of record and parties and that postage was fully prepaid
24 thereon. A copy was also sent to all ECF participants.

25
26 Debt Acquisition Company of America
27 1565 Hotel Circle South, Suite 310
28 San Diego, CA 92108

29
30 Mesa Verde RE Ventures LLC
31 2 Park Plaza, Suite 1250
32 Irvine, CA 92614

1 Kenneth Hennesay, Esq.
2 Allen Matkins Leck Gamble & Mallory LLP
3 1900 Main St. Fifth Floor
4 Irvine, CA 92614-7321
5 Attorneys for Mesa Verde RE Ventures LLC
6

7 John Hinderaker, Esq.
8 Lewis & Roca, LLP
9 3993 Howard Hughes Parkway, Suite 600
10 Las Vegas, NV 89169-5996
11

12 
13 EMPLOYEE OF DAVID STOEBLING, ESQ.
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